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cc: MTC@mchsi.com, Karen Florini <KFlorini@environmentaldefense.org>, Richard Denison <rdenison@environmentaldefense.org>
bcc:
Subject: Environmental Defense comments on Methyl Chloropyridine Derivatives (CAS# 70024-85-0)

(Submitted via Internet 1/27/05 to oppt.ncic@epa.gov, hpv.chemrtk@epa.gov, / boswell.karen@epa.gov, chem.rtk@epa.gov, MTC@mchsi.com, and ggarvin@dow.com)

Environmental Defense appreciates this opportunity to submit comments on the robust summary/test plan for **Methyl Chloropyridine Derivatives (CAS# 70024-85-0)**.

Dow AgroSciences, LLC, in response to EPA's High Production Volume (HPV) Chemical Challenge, has submitted a long-overdue set of robust summaries to accompany a test plan (submitted December 5, 2003) for methyl chloropyridine derivatives (CAS# 70024-85-0).

In our earlier comments regarding the test plan, which are posted on the EPA HPV program website page for methyl chloropyridine derivatives, we pointed out that the test plan was inadequate to meet the requirements of the HPV Challenge and provided a number of comments to support that assessment.

Our review of this recent submission for methyl chloropyridine derivatives indicates that the sponsor has done very little to improve its original submission. That is, they have not updated or in anyway improved the inadequate test plan for these chemicals in light of comments received, and the robust summaries that were more recently submitted are also inadequate.

The first fourteen pages of the robust summaries consist of a series of subject headings with no accompanying data. Subsequent pages describe limited data for another chemical, 2,3,4,5,6-pentachloropyridine, that the sponsor proposes to use as a surrogate chemical for the methyl chloropyridine derivatives. As we pointed out in our review of the test plan submitted earlier, 2,3,4,5,6-pentachloropyridine is not an appropriate surrogate for the methyl chloropyridine derivatives because of very significant differences in the chemical structures and properties of these chemicals. We also speculate that, if data were available for the methyl chloropyridine derivatives to address the SIDS elements requested by the HPV Challenge, significant differences would be observed in their ecological and biological fate and toxicities relative to 2,3,4,5,6-pentachloropyridine.

In summary, it appears that the sponsor has made a minimal and wholly inadequate effort for the submission addressing methyl chloropyridine derivatives. Thus, we encourage EPA to reject this submission.

Thank you for this opportunity to comment.

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